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10/616,049

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Warren Keith Edwards

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PVF -- PARC

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EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT

PAPER NUMBER

2155

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/616,049 | Applicant(s) EDWARDS ET AL. | |
| | Examiner SHAWKI S. ISMAIL | Art Unit 2155 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-13,15-23 and 25-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-13,15-23 and 25-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

1. This communication is responsive to the amendment received on February 15, 2008.

Claims 1, 11, 21, and 31 have been amended.

Claims 4, 14 and 24 have been cancelled.

Claims 1-3, 5-13, 15-23, 25-32 are pending further examination.

The New Grounds of Rejection

2. Applicant's amendment and arguments received on February 15, 2008 have been fully considered, however they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-13, 15-23, and 25-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Atkinson et al.**, (hereinafter referred to as Atkinson) U.S Patent Publication No. **2002/0012329 A1** in view of **Chang et al.**, (hereinafter referred to as Chang) U.S Patent Publication No **2002/0083121 A1**.

5. As to claim 1, Atkinson teaches a method that facilitates dynamic delivery of service profiles to a client, comprising:

performing a discovery operation to allow the client to discover new services on a network (refer to Fig. 10, paragraph 0102, step 172 for example, wherein a phone discovers print service in range);

if a new service is discovered for which the client does not possess a service profile, wherein the service profile specifies how to use the new service (refer to Fig. 10, paragraph 0102, step 173 for example, wherein the phones gathers print service information-print profile);

wherein causing the client to obtain the service profile involves:

causing the client to obtain the service profile from the new service (refer to Fig. 10, paragraph 0102, steps 175 and 180 for example, wherein the printer send the profile and driver to be installed on the phone).;

causing the service profile to be installed on the client to enable the client to use the new service (refer to Fig. 10, paragraph 0102, steps 175 and 180 for example, wherein the printer send the profile and driver to be installed on the phone).

wherein the service profile includes a specification that describes how to use the new service, and wherein causing the service profile to be installed on the client involves (refer to Fig. 10, paragraph 0102, steps 175 and 180 for example, wherein the printer send the profile and driver to be installed on the phone).

causing code to be generated to implement the specification (refer to Fig. 10, paragraph 0102, steps 175 and 180 for example, wherein the printer send the profile and driver to be installed on the phone).), and

causing the code to be installed on the client (refer to Fig. 10, paragraph 0102, steps 175 and 180 for example, wherein the printer send the profile and driver to be installed on the phone).

Atkinson teaches the claimed invention as discussed above. Atkinson does not explicitly teach wherein the service profile is retrieved based on the type of device platform of the client, causing the new service to select the service profile based on the received type information and causing device-specific code to be generated to implement the specification and to be installed on the client device.

Chang teaches An electronic system and method of pervasive output allow an information apparatus to output data content conveniently to virtually any output device. One method includes establishing a communication channel between the information apparatus and an output device and receiving at the information apparatus over the communication channel an attributes corresponding to the output device. The output device may then be selected at the information apparatus based at least in part on the attributes. The data content is delivered to the output device for rendering. Furthermore Change teaches wherein capabilities of a client device (information apparatus 100) such as type make and model (including operating system) are exchanges with a printer (output device 140) in order to send the appropriate drivers that are compatible with the client device to enable it to communicate with the printer (refer to paragraphs 0140-0147).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Change into the invention of Atkinson in order to enable the printer to customize the drivers and code that it sends to the client device based on the

capabilities of the client device. This enables device-specific drivers and software to be installed on the client device to facilitate communication with the printer device.

6. As to claim 2, Atkinson teaches the method of claim 1, wherein causing the client to obtain the service profile involves: causing the client to send a request for the service profile to the new service; and causing the client to receive the service profile from the new service (refer to Fig. 10, paragraph 0102).

7. As to claim 3, Atkinson teaches the method of claim 1, wherein the service profile includes code, and wherein causing the service profile to be installed on the client involves causing the code to be installed on the client (refer to Fig. 10, paragraph 0102).

8. As to claim 4, Atkinson teaches the method of claim 1, wherein the service profile includes a specification that describes how to use the new service; and wherein causing the service profile to be installed on the client involves, causing code to be generated to implement the specification, and causing the code to be installed on the client (refer to Fig. 10, paragraph 0102).

9. As to claim 5, Atkinson teaches the method of claim 1, wherein the service profile is encoded in a universal form that can be executed by different types of clients (paragraph 0023 and 0064).

10. As to claim 6, Atkinson teaches the claimed invention as discussed above. Atkinson does not explicitly teach wherein the service profile is retrieved based on the type of device platform of the client, causing the new service to select the service profile based on the received type

information and causing device-specific code to be generated to implement the specification and to be installed on the client device.

Chang teaches An electronic system and method of pervasive output allow an information apparatus to output data content conveniently to virtually any output device. One method includes establishing a communication channel between the information apparatus and an output device and receiving at the information apparatus over the communication channel an attributes corresponding to the output device. The output device may then be selected at the information apparatus based at least in part on the attributes. The data content is delivered to the output device for rendering. Furthermore Change teaches wherein capabilities of a client device (information apparatus 100) such as type make and model (including operating system) are exchanges with a printer (output device 140) in order to send the appropriate drivers that are compatible with the client device to enable it to communicate with the printer (refer to paragraphs 0140-0147).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Change into the invention of Atkinson in order to enable the printer to customize the drivers and code that it sends to the client device based on the capabilities of the client device. This enables device-specific drivers and software to be installed on the client device to facilitate communication with the printer device.

11. As to claim 7, Atkinson teaches the method of claim 1, wherein causing the client to obtain the service profile from the new service involves executing a dynamic extension profile, which implements a standard protocol that enables the client to acquire any profile the client needs at the time the profile is needed (refer to Fig. 10, paragraph 0102).

12. As to claim 8, Atkinson teaches the method of claim 1, wherein performing the discovery operation involves using the Bluetooth Service Discovery Protocol (SDP); and wherein the client and the new service communicate using the Bluetooth networking standard (refer to Fig. 10, paragraph 0102).

13. As to claim 9, Atkinson teaches the method of claim 1, wherein the service profile can define a service-specific Application Programming Interface (API) (refer to Fig. 10, paragraph 0102).

14. As to claim 10, Atkinson teaches the method of claim 1, wherein the service profile implements a domain-specific protocol stack associated with the new service (refer to Fig. 10, paragraph 0102).

15. Claims 11-13, 15-23, 25-32 do not teach or further define any limitations above claims 1-3 and 5-10, therefore, they are rejected for similar reasons

Claim Rejections - 35 USC §102

16. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

17. Claims 1-3, 5-13, 15-23, and 25-32, are rejected under 35 U.S.C. 102(e) as being anticipated by **Chang et al.**, (hereinafter referred to as Chang) U.S Patent Publication No **2002/0083121 A1**.

Chang teaches An electronic system and method of pervasive output allow an information apparatus to output data content conveniently to virtually any output device. One method includes establishing a communication channel between the information apparatus and an output device and receiving at the information apparatus over the communication channel an attributes corresponding to the output device. The output device may then be selected at the information apparatus based at least in part on the attributes. The data content is delivered to the output device for rendering. Furthermore Change teaches wherein capabilities of a client device (information apparatus 100) such as type make and model (including operating system) are exchanges with a printer (output device 140) in order to send the appropriate drivers that are compatible with the client device to enable it to communicate with the printer (refer to paragraphs 0140-0147). Chang further teaches additional functionality that anticipates the subject matter of the dependent claims and as such meets the scope of the claimed subject matter.

18. EXAMINER NOTE: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Response to Arguments

19. Applicants' arguments with have been fully considered, however, they are deemed to be moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shawki S Ismail/
Examiner, Art Unit 2155
May 9, 2008

/saleh najjar/

Supervisory Patent Examiner, Art Unit 2155